

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TOMIKO MARCUS,

No. 6:13-cv-1009-AA

O R D E R

Plaintiff,

vs.

CAROLYN COLVIN,  
Commissioner of Social Security,

Defendant.

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AIKEN, Chief Judge:

Plaintiff's unopposed motion for attorney fees (doc. 22) under 42 U.S.C. § 406(b) is granted. Plaintiff's attorney is awarded attorney fees in the amount of \$7,931.01 for fees representing claimant before this court. Pursuant to 42 U.S.C. § 406(b), this court may award a reasonable fee up to 25% of the

past due benefits. Past due Supplemental Security Income benefits total \$55,724.04. The requested fee, in combination with the agency fee previously awarded, is exactly 25% of past due benefits. See *Gisbrecht, et al. v. Barnhart*, 535 U.S. 789 (2002). This court had previously awarded \$5,258.34 in EAJA fees on this case. Upon payment of the § 406(b) fees, plaintiff's attorney will refund the awarded EAJA fee to plaintiff.

IT IS SO ORDERED.

Dated this 29 day of January 2015.

  
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Ann Aiken  
United States District Judge